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PTO/SB/21 (08-08)

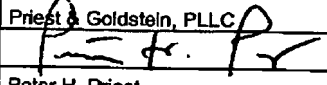
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| <b>TRANSMITTAL<br/>FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 10/772,829        |
|   | Filing Date            | Feb 5, 2004       |
|   | First Named Inventor   | Cooper, Robert S. |
|   | Art Unit               | 2626              |
|   | Examiner Name          | Kovacek, David M. |
| Total Number of Pages in This Submission  | Attorney Docket Number | 114.0005          |

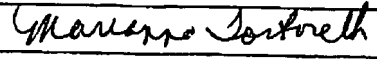
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| Remarks  |  |  |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |   |          |       |
|--------------|---|----------|-------|
| Firm Name    | Priest & Goldstein, PLLC  |          |       |
| Signature    |  |          |       |
| Printed name | Peter H. Priest   |          |       |
| Date         | February 12, 2009   | Reg. No. | 30210 |

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |   |      |                   |
|-----------------------|---|------|-------------------|
| Signature             |  |      |                   |
| Typed or printed name | Marianna Tortorelli   | Date | February 12, 2009 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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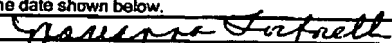
|  |                        |                   |
|--|------------------------|-------------------|
| <b>Request<br/>for<br/>Continued Examination (RCE)<br/>Transmittal</b><br><br>Address to:<br>Mail Stop RCE<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | Application Number     | 10/772,829        |
|  | Filing Date            | 02/05/2004        |
|  | First Named Inventor   | Cooper et al.     |
|  | Art Unit               | 2626              |
|  | Examiner Name          | Kovacek, David M. |
|  | Attorney Docket Number | 114.0005          |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ☐ Other \_\_\_\_\_
  - ☒ Enclosed
    - ☒ Amendment/Reply
    - ☐ Affidavit(s)/Declaration(s)
    - ☐ Information Disclosure Statement (IDS)
    - ☐ Other \_\_\_\_\_
- Miscellaneous**
  - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
  - ☐ Other \_\_\_\_\_
- Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
  - ☒ The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_.
    - ☒ RCE fee required under 37 CFR 1.17(e)
    - ☐ Extension of time fee (37 CFR 1.136 and 1.17)
    - ☐ Other \_\_\_\_\_
  - ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
  - ☒ Payment by credit card (Form PTO-2038 enclosed)

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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED |   |                  |                   |
|---|---|------------------|-------------------|
| Signature   |  | Date             | February 12, 2009 |
| Name (Print/Type)                                   | Peter H. Priest   | Registration No. | 30210             |

| CERTIFICATE OF MAILING OR TRANSMISSION  |   |      |                   |
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| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. |   |      |                   |
| Signature   |  | Date | February 12, 2009 |
| Name (Print/Type)   | Marianna Tortorelli   | Date | February 12, 2009 |

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